

Certification

MoDOT certifies that the transportation planning process is being carried out in accordance with the following requirements in 23 CFR 450.220(a).

1. 23 U.S.C. Section 135, 49 U.S.C. Chapter 53 and 23 CFR 450
2. Title VI of the Civil Rights Act of 1964
3. Section 1101 (b) of the 2004 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users regarding the involvement of Disadvantaged Business Enterprises in Federal Highway Administration and Federal Transit Administration funded projects
4. Provisions of the Americans with Disabilities Act of 1990 and U.S. Department of Transportation regulations
5. Provisions of 49 CFR part 20 regarding restrictions on influencing certain federal activities
6. In non-attainment and maintenance areas, sections 174 and 176 (c) and (d) of the 1990 Clean Air Act as amended

In addition to the above specifically stated requirements, 23 CFR 450.216 describes a number of requirements that MoDOT ensures are met with submission of the Statewide Transportation Improvement Program, or STIP. These requirements are as follows.

1. Public involvement was provided for in the STIP development as required by 23 CFR 450.212.
2. The metropolitan planning area Transportation Improvement Programs are included by reference, without modification, in the STIP and have been approved by the Governor of Missouri.
3. In non-attainment and maintenance areas, the STIP contains only transportation projects found to conform, or from programs that conform, to the requirements contained in 40 CFR 51.
4. The STIP contains only transportation projects consistent with the statewide plan.
5. The STIP is financially constrained by year as required.
6. The STIP includes a list of priority transportation projects to be carried out in the first three years.
7. The STIP contains all capital and non-capital transportation projects or identified phases of transportation projects requiring action by FHWA or FTA.

Federal-Aid Project Oversight Agreement

Background and Purpose

Section 1305 of the 1998 Transportation Equity Act for the 21st Century (TEA-21) amends Section 106 of Title 23 - United States Code (U.S.C.), Project Approval and Oversight. This section revises provisions for project oversight of federal-aid highway projects and eliminates the Certification Acceptance Program.

The amended Section 106 provides considerable flexibility to Missouri and the Federal Highway Administration in reaching agreement on the responsibilities for design, plan development, specifications, estimates, right of way certification, contract awards, project inspections and final acceptance of federal-aid highway projects. These responsibilities refer only to project actions.

Project Oversight Responsibilities

Interstate Projects - On all interstate projects with an estimated construction cost of greater than \$1 million, all project activities shall receive full oversight and approval by the Federal Highway Administration. For all major bridge or intelligent transportation system projects, regardless of cost, the Federal Highway Administration will continue full oversight and approval. In addition, traffic control plans for all interstate projects will be provided to the Federal Highway Administration for review. This oversight responsibility is a continuation of the principles included in the Missouri 1993 Stewardship Agreement and as allowed by Section 106(c)(4) of Title 23 U.S.C. as amended by TEA-21.

Non-Interstate National Highway System Projects – MoDOT assumes oversight responsibility for all non-interstate National Highway System projects, regardless of the federal funding source. However, this does not include major bridge or intelligent transportation system projects that will continue to receive full oversight and approval by the Federal Highway Administration. In addition, the Federal Highway Administration will be given the opportunity to participate on MoDOT project management teams to insure that timely input and technical assistance are provided to achieve quality project development.

Non-National Highway System Projects - MoDOT assumes oversight responsibility for all non-National Highway System projects, regardless of project cost, type of work, size, or federal funding source. This oversight responsibility includes federal-aid projects awarded for construction and administered under a local public agency agreement. This oversight responsibility is a continuation of the principles included in the Missouri 1993 Stewardship Agreement and as allowed by Section 106(c)(4) of Title 23 U.S.C. as amended by TEA-21.

Identification of Full-Oversight Projects

MoDOT and the Federal Highway Administration will conduct an annual review of the MoDOT Statewide Transportation Improvement Program to identify the projects that will be administered as full-oversight projects by the Federal Highway Administration.

Obligation of Funds

MoDOT will not submit requests for obligation of funds on any federal-aid construction project until the National Environmental Policy Act approval process has been completed, right-of-way clearance has been approved, and the projects for which federal funds are being requested are listed in the MoDOT Statewide Transportation Improvement Program.

Other Oversight Agreement Provisions

This agreement is made with the following understandings.

- MoDOT will administer all projects previously authorized prior to the effective date of this agreement under Certification Acceptance as though the projects were authorized under the provisions of this agreement.
- All non-Title 23 U.S.C. requirements will continue to be subject to the Federal Highway Administration project review, oversight, and approval.
- All projects on the National Highway System (interstate and non-interstate) will conform to MoDOT adopted design and construction standards as approved by the Federal Highway Administration. Amendments or revisions to these standards are subject to the Federal Highway Administration's review and approval.
- All non-National Highway System projects shall be designed, constructed, operated and maintained in accordance with state laws; regulations; directives; and safety, design and construction standards.

- Federal Highway Administration will complete a final inspection and final acceptance on the Federal Highway Administration full-oversight projects. MoDOT assumes this responsibility for all other projects. MoDOT will take action to close projects in a timely manner.
- This agreement does not preclude the Federal Highway Administration from observing a federal-aid highway project under MoDOT responsibility, including those under a local public agency agreement, should the project contain unique features, if unusual circumstances arise, or should such projects be party to inclusion in joint agency MoDOT Quality Assurance Reviews or Federal Highway Administration Process Review and Evaluations.
- Federal Highway Administration and MoDOT enter into this agreement to conduct project oversight activities in accordance with the above stipulated agreement provisions. The effectiveness of these oversight responsibilities will be evaluated periodically and adjustments made upon mutual agreement.

Certification

It is hereby certified that MoDOT will follow all federal and state laws, regulations and directives for the design, construction, operation and maintenance of all federal-aid projects.